

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

FREDERICK M. TORRENCE,
Plaintiff,

v.

SHELLY LEE THOMPSON, et al,
Defendants.

C.A. No. 10-67 ERIE

MEMORANDUM ORDER

Plaintiff's complaint was received by the Clerk of Court on March 23, 2010, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation ("R&R"), filed on August 2, 2010 [Doc. 34], recommended that the motion to dismiss, or alternatively, for summary judgment, filed by Defendants Jeffrey Beard, Carrie Everett, Christina Kennedy, Vickie Sabella, Susan Satterlee, Raymond Sobina, Shelly Lee Thompson, Paula Toski, and Deb Woodard. [Document # 11] be granted. (R&R at 11). It was further recommended that the "Motion for Temporary Restraining Order and a Preliminary Injunction, or in the Alternative the Defendants be Removed and Suspended from their Current Positions Until the Completion of the Investigation" filed by Plaintiff [Document # 31] be dismissed (R&R at 11).

The parties were allowed fourteen (14) days from the date of service to file objections. Objections were filed by the Plaintiff on August 12, 2010. After de novo review of the pleadings and documents in the case, together with the report and recommendation and objections thereto, we adopt Magistrate Judge Baxter's August 2, 2010 R&R as the Opinion of the Court. We see no error in the R& R.

AND NOW, this 6th day of October, 2010;

IT IS HEREBY ORDERED, ADJUDGED and DECREED that said Report and Recommendation (Doc. 34) is adopted as the Opinion of the Court. The motion to dismiss, or alternatively, for summary judgment, filed by Defendants (Doc. 11) is hereby GRANTED. The Clerk of Courts is directed to mark this case as CLOSED.

IT IS FURTHER HEREBY ORDERED, ADJUDGED, AND DECREED that the Motion
for Temporary Restraining Order (Doc. 31) is DENIED.

Maurice B. Cohill, Jr.

MAURICE B. COHILL, JR.
United States District Judge

cc: Susan Paradise Baxter
U.S. Magistrate Judge
all parties of record _____